

UNITED STATES DISTRICT COURT  
for the  
Southern District of Ohio

United States of America

v.

Keontae Brown

)  
)  
)  
)  
)

Case No. 3:21MJ176

*Defendant(s)*

**CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2/9/2021 in the county of Montgomery in the  
Southern District of Ohio, the defendant(s) violated:

*Code Section*

*Offense Description*

18 USC s. 922(g)(1) & 924(a)(2) felon in possession of a firearm in and affecting interstate commerce

This criminal complaint is based on these facts:

See Attached Affidavit of Fred Zollers

Continued on the attached sheet.

*Fred Zollers*

Complainant's signature

Fred Zollers, TFO of the FBI

Printed name and title

Sworn to before me and signed in my presence.  
Via FaceTime

Date: 5/11/21

*Sharon L. Ovington*  
  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

City and state: Dayton, Ohio

Sharon L. Ovington, US Magistrate Judge

Printed name and title

**AFFIDAVIT**

I, Frederick D. Zollers, being duly sworn, does hereby depose and state as follows:

**INTRODUCTION**

1. I am a sworn law enforcement officer in the State of Ohio for fourteen (14) years. I am presently a sworn member of the Montgomery County Sheriff's Office. I am currently assigned to the Federal Bureau of Investigation's (FBI) Southern Ohio Safe Streets Task Force (SOSSTF) as a Task Force Officer (TFO), I have received training in drug trafficking investigations and have participated in numerous narcotics-related investigations (ultimately leading to successful prosecution) that involved surveillance, gathering evidence of money laundering, interviewing suspected drug traffickers, and supervising the activities of informants who provided information and assistance which resulted in the seizure of narcotics, firearms, and U.S. currency. I have conducted numerous investigations into the unlawful distribution and possession of controlled substances; use and possession of firearms. Based on my training and experience, I am familiar with federal drug laws, and am aware that it is a violation of Title 21, United States Code, Sections 841(a)(1) and 846 to knowingly and intentionally distribute and possess with intent to distribute controlled substances (including heroin and cocaine), as well as to conspire to do the same. Further, I am aware of federal firearm laws and know that possessing firearms in furtherance of a drug trafficking crime is a violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2. In addition, I am aware the possession of a firearm by a convicted felon is a violation of Title 18, United States Code, Section 922(g)(1).

**PURPOSE OF AFFIDAVIT**

2. This Affidavit is submitted in support of a criminal complaint, and seeks the issuance of an arrest warrant against **KEONTAE BROWN** (hereinafter "**BROWN**") for violation of Title 18, U.S.C.

§ 922(g)(1), that being “felon in possession of a firearm.”

3. Along with other law enforcement agents, I have participated in the investigation of **BROWN** in connection with the conduct detailed in this Affidavit. As part of the investigation, I have, among other things, discussed information with, and/or reviewed documentation and reports provided by, other law enforcement officers. My knowledge of the facts and circumstances set forth in this Affidavit is thus based upon my own personal observations, as well as information I have received from other law enforcement officers involved in the investigation. For purposes of this Affidavit, I have not distinguished between information of which I have direct knowledge and that of which I have indirect knowledge.
4. I have elected not to include in this Affidavit all the factual details gathered to date during the investigation, but rather I have included only certain information sufficient to establish probable cause to believe that **BROWN** has committed a violation of Title 18, U.S.C. § 922(g)(1), that being “felon in possession of a firearm.”

#### SUMMARY OF PROBABLE CAUSE

5. On Tuesday, February 9, 2021, members of the FBI Southern Ohio Safe Streets Task Force (SOSSTF), members of the Miami Valley Bulk Currency Task Force (MVBCTF) and members of the Regional Agencies Narcotics and Gun Enforcement Task Force (RANGETF) conducted surveillance on a grey 2020 Toyota RAV4 bearing Tennessee temporary registration E115865. Task force members were surveilling the RAV4 after identifying the driver as **BROWN**, who had an active federal arrest warrant for escape. At the request of task force members, Montgomery County Sheriff's Office Deputy James DeBarr, driving a marked cruiser, attempted to initiate a traffic stop on **BROWN** in the drive-thru of Long John Silver's located at 2235 Needmore Road

in Harrison Township, Montgomery County, Ohio. **BROWN** fled the traffic stop in the RAV4 to evade law enforcement.

6. Task force members and aerial surveillance surveilled **BROWN** as he fled in the RAV4. **BROWN** committed numerous traffic violations and created a substantial risk of serious physical harm to other motorists on the roadway. **BROWN** drove to The Greene shopping center in Greene County, Ohio. Prior to parking the RAV4, **BROWN** dropped other passengers off near The Cheesecake Factory. **BROWN** then drove to a parking lot located on the southeast corner of The Greene shopping center and parked and exited the RAV4.
7. **BROWN** began walking toward stores in The Greene shopping center. Task force members arrived in the area and attempted to apprehend **BROWN**. **BROWN** attempted to flee on foot upon observing task force members. **BROWN** fled into the Pasha Grill restaurant pursued by task force members. Task force members observed **BROWN** toss a white bag in a refrigerated area before **BROWN** fled toward the back of the restaurant where he was confronted and apprehended by task force members.
8. As **BROWN** was being taken into custody, he advised task force members that he was in possession of a handgun. After **BROWN** was detained in handcuffs, a search of his person revealed he was in possession of a loaded Beretta Tomcat .32 caliber handgun (serial number DAA368371) in his pants pocket. The white bag **BROWN** tossed in the refrigerated area was retrieved and found to contain plastic baggies of suspected narcotics, un-used plastic baggies, a digital scale and \$186.00 U.S. currency.
9. Task force members conducted a post Miranda interview with **BROWN**. In sum and in substance, **BROWN** admitted to fleeing from Deputy Debarr in the RAV4. **BROWN** acknowledged the risk of serious physical harm he created for himself, the occupants of the RAV4 and other motorists on the

roadway. **BROWN** said he knew he had a warrant for his arrest for not reporting to the halfway house in January 2021 after being released from federal prison. **BROWN** admitted to possessing the Beretta handgun. **BROWN** admitted to possessing the suspected drugs that were located in the white bag that he tossed inside of the Pasha Grill.

10. Based on a review of **BROWN**'s criminal history, I know that **BROWN** has prior felony convictions. These include:

- a) on or about March 14, 2012, in the Montgomery County Common Pleas Court, case number 2011CR00512, for F4 "Possession of Heroin;"
- b) on or about March 14, 2012, in the Montgomery County Common Pleas Court, case number 2011CR04145, for F4 "Grand Theft (motor vehicle);"
- c) on or about March 14, 2012, in the Montgomery County Common Pleas Court, case number 2012CR00491, for F4 "Grand Theft (motor vehicle);"
- d) on or about November 7, 2012, in the Montgomery County Common Pleas Court, case number 2012CR03126, for F3 "Having Weapons Under Disability;"
- e) on or about November 25, 2014, in the Montgomery County Common Pleas Court, case number 2014CR02416, F3 "Having Weapons Under Disability;"
- f) on or about November 25, 2014, in the Montgomery County Common Pleas Court, case number 2014CR03626, F4 "Possession of Heroin;"
- g) on or about August 8, 2017, in the United States District Court for the Southern District of Ohio, Case No. 3: 16CR126WHR, of being a felon in possession of a firearm for which he received a 60 month sentence.
- h) on or about October 23, 2020, in the Montgomery County Common Pleas Court, case number 2018CR00509, F3 "Illegal Conveyance;"

11. I subsequently spoke with Special Agent (SA) Ken Pitney of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, who has training and experience in determining a firearm's place of manufacture. SA Pitney advised the Beretta Tomcat .32 caliber handgun was manufactured outside the State of Ohio, thus moved in interstate commerce.

12. Based on the facts set forth in the Affidavit, there is probable cause to believe that, on or about February 9, 2021, in the Southern District of Ohio, **BROWN** committed a violation of Title 18, U.S.C. § 922(g)(1), that being "felon in possession of a firearm."

Further your Affiant sayeth naught.

*Frederick D. Zollers*

Frederick D. Zollers, Task Force Officer  
Federal Bureau of Investigation  
Southern Ohio Safe Streets Task Force

Subscribed and sworn to before me this 11th day of May, 2021.

*Sharon L. Ovington*  
Sharon L. Ovington  
United States Magistrate Judge

